NOTICE OF PUBLIC HEARING

The Arkansas Pollution Control and Ecology Commission will hold a public hearing March 1, 2004, at Little Rock to receive public comments on proposed changes to Commission Regulation No. 12, which governs the Arkansas Regulated Storage Tank (RST) program for petroleum storage tanks. The hearing will begin at 2:00 p.m. in the Arkansas Department of Environmental Quality's (ADEQ) Building D Training Room, 8101 Interstate 30.

Authority for the proposed Commission action is found in the Arkansas Code, Annotated, Sec. 8-7-801 et seq., and Sec. 8-7-901 et seq.

Proposed revisions to Regulation No. 12 in general are being offered in order to comply with recent state legislation (Act 1114 of 2003), and recent changes in the federal RST program regulations.

Among the proposed Regulation No. 12 changes are the addition of a definition of "compensatory damages" and substitution of the word "compensatory" for the phrase "bodily injury and property" in several references in the regulation's Chapter 4. In addition, there are several other proposed revisions in Chapter 4 which reflect changes mandated by Act 1114.

A proposed change in Chapter 3 also mandated by Act 114 would increase the maximum reimbursement for corrective action involving leaking storage tanks from the current \$1 million to \$1.5 million. The proposal also would include a restatement of notice requirements, already found in Chapter 3, to be included in Chapter 1 of the regulation.

Finally, the proposed revisions would adopt by reference changes to federal Environmental Protection Agency standards for underground petroleum storage tanks which have been implemented through federal regulations found at 40 C.F.R, Part 280.

Copies of the proposed changes to Regulation No. 12 are available for public inspection during normal business hours at the ADEQ Customer Service Division in the agency's Building D, 8101 Interstate 30, Little Rock, AR, or at ADEQ information depositories located in public libraries at Arkadelphia, Batesville, Blytheville, Camden, Clinton, Crossett, El Dorado, Fayetteville, Forrest City, Fort Smith, Harrison, Helena, Hope, Hot Springs, Jonesboro, Little Rock, Magnolia, Mena, Monticello, Mountain Home, Russellville, Pocahontas, Searcy, Stuttgart, Texarkana, and West Memphis; in campus libraries at the University of Arkansas at Pine Bluff and the University of Central Arkansas at Conway; and in the Arkansas State Library located on the State Capitol grounds in Little Rock.

In addition, a copy of the regulation showing the proposed changes is available for viewing or downloading at the ADEQ's Internet web site at www.adeq.state.ar.us.

Oral and written comments will be accepted at the hearing, but written comments are preferred in the interests of accuracy. In addition, written or electronic mail comments will be accepted if submitted no later than 4:30 p.m. March 15, 2004. Written comments should be mailed to Doug Szenher, Customer Service Division, Arkansas Department of Environmental Quality, P.O. Box 8913, Little Rock, AR 72219-8913. Electronic mail comments should be sent to reg-comment@adeq.state.ar.us.

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